

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

AUG 01 2007

JOHN F. CORCORAN, CLERK
BY: 
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONROBERT STEVEN JOYCE,
Plaintiff,

v.

CAPTAIN NELSON, et al.,
Defendants.

) Civil Action No. 7:07cv00339

)

) FINAL ORDER

)

) By: Samuel G. Wilson

) United States District Judge

)

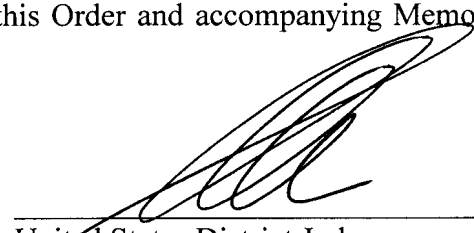
In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED and ADJUDGED

that

- 1) Joyce's motion to amend his complaint to particularize the facts of his complaint is **GRANTED**. Accordingly, Joyce's complaint shall be considered as amended;
- 2) Joyce's claims against defendants Nelson and Taylor shall be and hereby are **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1);
- 3) Joyce's claim of denial of adequate medical care is **DISMISSED** without prejudice;
- 4) The Clerk is directed to **TERMINATE** defendants Nelson and Taylor as defendants to this action;
- 5) Accordingly, only Joyce's excessive force and free speech claims against defendant Sgt. Deatherage will go forward by separate order of the court.

The Clerk is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the plaintiff.

ENTER: This 15th day of August, 2007.

 United States District Judge